

IN THE MAGISTRATE COURT OF DEKALB COUNTY, GEORGIA**Search Warrant Number #: 03W05357****Docket Number #: E000207****AFFIDAVIT & APPLICATION FOR A SEARCH WARRANT**

The undersigned, being duly sworn, deposes and says: I am a duly sworn, POST certified law enforcement officer in the state of Georgia charged with the duty to investigate criminal activity and enforce the criminal laws of this state. This is an application for a search warrant and my affidavit in support hereof. Pursuant to O.C.G.A. 17-5-20, et. seq., I am making this sworn affidavit setting forth that there exists probable cause to believe that:

- A. specific offense(s) is/are being committed/have been committed; and
- B. specifically described property and items and/or persons are to be searched for and seized and constitute evidence of these specific offenses; and
- C. the property and items and/or persons constituting evidence to be searched for and seized are located at the particular place to be searched.

There is probable cause to believe that the following crime(s) (is being/has been/have been) committed. (List all applicable offenses and code sections.)

| Offense(s) | Code Section(s) |
|--|------------------------|
| Possession Gun Vgcsa Vgcsa Trafficking Cocaine More 28grams | 16-11-106 16-13-31 |

The information of person to be searched

The list of certain property, items, articles, instruments, to be searched for and seized are located in DEKALB County, Georgia and are specifically described as follows:

Drug records, drug proceeds, firearms (further described on schedule B)

The foregoing described property, items, articles, instruments and person(s) to be searched for and seized constitute evidence connected with the foregoing listed crime(s) and is/are: (check ALL that are applicable) (O.C.G.A. 17-5-21)

- ☒ [X] designed for use in the commission of the crime(s) herein described.
- ☒ [X] intended for use in the commission of the crime(s) herein described.
- ☒ [X] has/have been used in the commission of the crime(s) herein described.
- ☐ [] stolen; ☐ [] embezzled; property;
- ☒ [X] contraband, the possession of which is unlawful.
- ☒ [X] tangible evidence of the commission of the crime(s) set forth above.
- ☐ [] a person who has been kidnapped in violation of the laws of this state or who has been kidnapped in another jurisdiction and is now concealed within this state.
- ☐ [] a human fetus; ☐ [] a human corpse.
- ☐ [] a person for whom an arrest/fugitive warrant has been issued. (Brown v. State, 240 Ga. App. 321)
- ☐ [] Other:

The facts establishing probable cause in searching for and seizing the foregoing specifically described person(s), property, items, articles, instruments connected with the foregoing crime(s) at the location described herein are: (Set forth facts connecting all crimes, all items to searched for & seized, at the location to be searched.)

SEE AFFIDAVIT

The geographic location of the above listed specifically described person(s), property, items, articles, instruments to be searched for and seized is within DEKALB County, Georgia, and is more particularly described as follows:

6086 BELAIR LAKE ROAD, LITHONIA, GA, 30038

AFFIDAVIT AND APPLICATION
FOR A SEARCH WARRANT

IN THE MAGISTRATE COURT OF DEKALB CO. GEORGIA

STATE OF GEORGIA

DOCKET NO.

THE UNDERSIGNED INVESTIGATOR JOHN KOERTS (DEKALB COUNTY POLICE DEPARTMENT) BEING DULY SWORN, DEPOSES AND SAYS: I AM AN OFFICER OF THE STATE OF GEORGIA OR ITS POLITICAL SUBDIVISIONS CHARGED WITH THE DUTY OF ENFORCING THE CRIMINAL LAWS, AND THAT I HAVE REASON TO BELIEVE THAT IN DEKALB COUNTY, GEORGIA ON THE PERSON, PREMISES, OR PROPERTY DESCRIBED AS FOLLOWS:

SEE SCHEDULE "A"

THERE IS NOW LOCATED CERTAIN INSTRUMENTS, ARTICLES, PERSON(S), OR THINGS, NAMELY:

SEE SCHEDULE "B"

(Which are in violation of OCGA 16-13-30, 16-13-31, and 16-10-20.)

THE FACTS TENDING TO ESTABLISH PROBABLE CAUSE THAT A CRIME HAS BEEN, OR IS BEING COMMITTED AND THE ABOVE DESCRIBED INSTRUMENTS, ARTICLES OR THINGS DESCRIBED ABOVE ARE PRESENTLY LOCATED AT THE ABOVE DESCRIBED PREMISES OR PROPERTY ARE AS FOLLOWS:

SEE AFFIDAVIT

I SWEAR OR AFFIRM THAT ALL OF THE INFORMATION CONTAINED IN THIS AFFIDAVIT AND ALL OTHER TESTIMONY GIVEN BY ME UNDER OATH IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

AFFIANT

TITLE

SWORN TO AND SUBSCRIBED TO BEFORE ME THIS 17 DAY OF November

2003 AT Noon (A.M.)(P.M.).

JUDGE OF THE MAGISTRATE COURT

DUPLICATE COPY

AFFIDAVIT

1. I, John Koerts, do hereby depose and state that the following facts are true and correct to the best of my knowledge and belief.
2. I am an investigator with the DeKalb County Police Department and have been so employed for the past 16 years. For the past three years, I have been detailed to the Drug Enforcement Administration (DEA), where I am currently a task force agent assigned to DEA Atlanta Task Force Group Two. I have written and/or participated in over 100 search warrants seeking and resulting in the discovery of controlled dangerous substances (CDS), packing implements, and other paraphernalia involved in the distribution of CDS, including large amounts of U.S. currency, firearms, drug records, and assets representing the wealth derived from the sale of CDS.
3. Based upon my training, experience, and participation in narcotics and/or financial investigations involving CDS, I know:
 - a. that drug traffickers very often purchase and/or title their assets in names other than their own to avoid detection of these assets by government agencies;
 - b. that even though these assets are in other persons' names, the drug traffickers continue to use these assets and exercise dominion and control over them;
 - c. that drug traffickers very often invest in businesses that deal predominantly in cash, and that businesses dealing in cash are often used to launder monies derived from illegal sources, such as drug trafficking;
 - d. that large-scale drug distributors must maintain, on hand, large amounts of U.S. currency in order to maintain and finance their ongoing drug distribution business;
 - e. that narcotics distributors maintain books, records, receipts, notes, ledgers, money orders, and other papers relating to the transportation, ordering, sale, and distribution of controlled substances, and that the aforementioned books, records, receipts, notes, ledgers, etc. are maintained where the traffickers have ready access to them;
 - f. that it is common for large-scale distributors to secret contraband, proceeds of drug sales, and records of drug sales in secure locations within their residences, their businesses, and/or other locations over which they maintain dominion and control, to provide ready access to this material and also to conceal these items from law enforcement authorities;
 - g. that cocaine distributors and other CDS traffickers commonly maintain addresses or telephone numbers in books or papers which reflect names, addresses, and/or telephone numbers of their associates in the drug trafficking organization;
 - h. that drug traffickers take or cause to be taken photographs of themselves, their associates, their property, and their product, and that these traffickers usually maintain these photographs in their possession;
 - i. that the courts have recognized that unexplained wealth is probative evidence of crimes motivated by greed, particularly the distribution of CDS; and
 - j. that drug traffickers commonly have in their possession, that is, on their person, at their residences and/or their businesses, firearms, including but not limited to

handguns, pistols, revolvers, rifles, shotguns, machine guns, and other weapons, which are used to secure and protect such property as narcotics, narcotics paraphernalia, jewelry, books, records, and currency.

4. I am thoroughly familiar with the information contained in this affidavit, either through my own investigation or through information received from other Task Force Agents or Special Agents of the DEA, or from other state and local law enforcement officers.

PROBABLE CAUSE

5. I am familiar with Demetrius Edward Flenory, DOB 6-21-68, aka "MEECHIE," as a Detroit native who relocated to the metropolitan Atlanta area during the early 1990's. Flenory, who is reputed to be a violence-prone gang member and drug trafficker, has been the subject of DEA investigations in both Detroit and Atlanta for approximately the past 10 years.
6. Dennis Kingsley Walker, another Detroit subject who had relocated to Atlanta, was arrested by DEA in Atlanta on May 7, 1994. Walker subsequently entered a guilty plea to a cocaine conspiracy charge and received a five-year federal prison sentence. On October 30, 1997, Walker was discharged from the Dismas House, a halfway house in Atlanta, having completed his sentence, which had been reduced due to information Walker had provided to DEA in regard to a codefendant, Anthony (Tony) Valentine, another Detroit subject. Valentine, who had been a federal fugitive, was arrested in Azusa, CA in August of 1997. On October 31, 1997, Walker's first full day of freedom, Walker is known to have spent the evening in the company of several women in the bar at the Westin Peachtree Plaza Hotel in downtown Atlanta. Upon leaving the hotel, Walker proceeded northbound on Interstate 85, exited onto the Buford Highway Connector, and was then shot to death in the driver seat of his 1989 Nissan Maxima, a highway drive-by shooting that occurred less than 36 hours after Walker's release from the halfway house. Walker and the driver side of the vehicle were riddled with bullets fired from close range by a Glock .40 caliber semi-automatic pistol.
7. Because of Walker's background as a witness in a federal drug case, DEA assisted Atlanta Police homicide detectives in the investigation of the Walker murder. In January of 1998, Demetrius Flenory became the primary suspect in the Walker case after one individual told a DEA informant (hereinafter referred to as CI #1) that "Meechie" killed "Dennis" because of the latter's cooperation against Tony Valentine. That conversation was covered by DEA surveillance and was recorded via a concealed transmitter worn by CI #1. Despite intensive follow-up investigation by APD and DEA, detectives and agents were unable to develop any further evidence linking Flenory to the Walker murder, and the case remains unsolved to this day.

8. Further background investigation of Flenory reveals that Flenory, on June 2, 1993, applied for and received a Georgia Driver's License in the name of "Ronald B. Ivory," DOB 3-19-65. Flenory claimed a Social Security Number of 561-65-1799, and an address of 1550 Terrell Mill Road, Apt 81, Marietta, GA 30067. Flenory obtained this license by providing the Georgia Department of Public Safety with a Missouri birth certificate in the Ronald Ivory name and by claiming that he was new to the state of Georgia. Flenory obtained this license at Post #52, which is located at the intersection of Moreland Avenue and Custer Avenue in southeast Atlanta.
9. On October 4, 1994, Flenory was temporarily detained and questioned by Detroit DEA agents in Lincoln Park, MI. Flenory was in the company of two Colombian nationals who were charged with cocaine conspiracy and distribution, but Flenory was released due to lack of evidence. Flenory identified himself at the time as Ronald Bernard Ivory, using the Georgia Driver's License in the Ivory name. Because Flenory was also fingerprinted during the questioning, his correct identity was determined by the Detroit DEA agents shortly after his departure. No criminal charges were filed against Flenory in connection with that case.
10. On February 21, 1996, Flenory was arrested by Atlanta Police after a fight at Magic City, an Atlanta striptease club, during which Flenory allegedly threw a glass bottle at another male patron, cutting that individual's neck. Flenory was charged with aggravated assault, but the case was dismissed in Atlanta Municipal Court on 3-1-96. Throughout this case, Flenory identified himself as "Ronald Ivory."
11. On June 14, 1996, Flenory renewed the "Ronald B. Ivory" Georgia Driver's License, listing his address as 3121-S Flowers Road South, Chamblee GA 30341. That license was renewed by Flenory at Post #44, a Kroger grocery store located at 3959 LaVista Road in DeKalb County, GA.
12. On December 9, 1998, Flenory was one of five subjects arrested by Atlanta Police at 3204 Arbor Gates Drive in Atlanta. Flenory was charged with felony obstruction of police and possession of marijuana. At the time of his arrest, Flenory identified himself with a Michigan Driver's License in the name of "Rico Seville," DOB 6-21-69, listing an address of 7340 Saint Mary Street in Detroit, MI. After Flenory's release on bond in that case, Atlanta Police found a match between the "Rico Seville" fingerprints and those of "Ronald Ivory" from the 1996 arrest.
13. At the time of his 12-9-98 arrest, Flenory was in possession of the keys to a black 1996 four-door Chrysler Sebring that was parked outside the residence. That vehicle, displaying AL tag 1BY9956, was searched by officers after a trained drug dog alerted to the exterior of the Sebring. The search resulted in the discovery of electronically controlled "traps" in the door panels and where the vehicle's passenger-side airbag was supposed to be. Although these concealed compartments were found to be empty, the APD officers did seize two handguns from the Chrysler Sebring, one Taurus 9-millimeter semi-automatic pistol, SN TMA93700D, and one Bryco 9-millimeter, Model 58, SN 973993. Further investigation revealed that the

Chrysler Sebring under Flenory's control on 12-9-98 was the same vehicle that was stopped by Georgia State Patrol on November 22, 1997 as it proceeded southbound on Interstate 75 in Lowndes County, GA, driven by one Henry Jason Bates, another Detroit subject. A search of the Sebring by GSP on that occasion resulted in the discovery and seizure of \$69,880.00 in U.S currency, which was subsequently forfeited to the government as suspected drug proceeds.

14. DEA inquiries with the Georgia Department of Motor Vehicles regarding the "Ronald Ivory" driver's license reveal that this subject was cited for speeding violations in DeKalb County on 8/17/93 and 7/3/95, and in the City of Atlanta on 2/12/97. The DMV records indicate that "Ivory"/Flenory pled guilty in the first two speeding cases and was convicted in the third speeding case. Disposition records in all three cases reflect only the name of "Ronald Ivory."
15. On January 26, 1999, DEA Task Force Agent Novin Darsey, who is a Spalding County Deputy Sheriff and a certified Peace Officer in the State of Georgia, swore to a criminal complaint against Demetrius E. Flenory in DeKalb County Magistrate Court, charging Flenory in Criminal Warrant #99W66407 with Making a False Document in violation of OGCA 16-10-20. The date of the offense charged was June 14, 1996, the date on which Flenory renewed the "Ronald B. Ivory" driver license at Post #44 in DeKalb County. That arrest warrant was never executed, as law enforcement authorities in Georgia were unable to locate Flenory during 1999-2000.
16. In August of 2001, a Confidential Informant, CI #2, reported to DEA that a subject from Detroit, known as "Meechie," was residing in a huge house off Evans Mill Road in Lithonia, GA. CI #2 further reported that "Meechie" owned a white van equipped with a concealed compartment behind the front seat; that a courier working for "Meechie" would periodically drive the van from Atlanta to Los Angeles, transporting cash in the compartment while traveling westbound, then large amounts of cocaine in the compartment eastbound out of Los Angeles; that these cocaine loads would amount to as much as 150 to 200 kilograms at a time; that half of the cocaine load would typically be delivered to Detroit and the remainder would go to the Atlanta area; and that "Meechie" was a principal member of a criminal group that had a reputation for violence and the frequent use of firearms.
17. On August 15, 2001, CI #2 directed two agents from DEA Atlanta to the house off Evans Mill Road. The agents found the address of this house to be 6086 Belair Lake Road, a large white house located at the southwest corner of the intersection of Evans Mill Road and Belair Lake Road. The agents observed that the house had a three-car garage and was located at the foot of a gated cul-de-sac that included some homes that were still under construction. This small subdivision was identified by a sign reading "Belair Estates by Landmark Development."
18. Investigation by DEA regarding the ownership of the property at 6086 Belair Lake Road revealed that one "Allen Rowland" purchased the property on or about

8/27/98, receiving a \$400,000.00 cash loan from Home Mortgage. This subject listed a SSN of 258-86-2906, which is the SSN of a convicted heroin trafficker named Rowland Lamar Allen, aka Royal Allen, DOB 9/28/48. A title search at the DeKalb County Courthouse conducted by a DEA analyst revealed that Allen conveyed 6086 Belair Lake Road to himself via quitclaim deed on 9/26/97. The title search did not reveal any security deed on the property at 6086 Belair Lake Road, although it was unclear whether there did exist any security deed.

19. Following the receipt of the information from CI #2, DEA conducted periodic drive-by surveillances of 6086 Belair Lake Road, which is located in a spot where stationary surveillance would be nearly impossible. Agents observed numerous vehicles, several of which were high-dollar sports cars and sport utility vehicles, parked at the residence. One of the older cars seen at 6086 Belair Lake Road was a black 1989 four-door Mercedes Benz 300E displaying Tennessee tag BYM554, registered to one "Charles Flen" of 321 Ross Road in Ripley, TN. Investigation of Demetrius Flenory has revealed that the name of his father is Charles Edward Flenory, DOB 3/18/48, POB Michigan.
20. Further DEA investigation of the house at 6086 Belair Lake Road was discontinued later in 2001, as it appeared to agents that the house was no longer occupied on a regular basis, unlike the situation at the house when it was first observed by the agents during August of 2001.
21. In June of 2002, DEA S/A Jack Harvey ran Demetrius Flenory's criminal history and discovered that Flenory was arrested by Los Angeles Police on May 17, 2000 on a charge of Driving Under the Influence, an arrest that followed the issuance of the DeKalb County warrant. A review of the record reveals that Flenory used a false name in the Los Angeles arrest and, although he was properly identified through his fingerprints, DeKalb County was not notified of the arrest and Flenory was not detained. When arrested, Flenory displayed a California Driver's License in the name of "Aundrez Malik Carothers," DOB 3/5/67, of 8569 Burton Way, Apt 307, Los Angeles, CA, a license that Flenory had obtained on December 9, 1999. Flenory's criminal history does not reflect any disposition in the Los Angeles DUI case.
22. A review of the actual photographs displayed on the "Ronald B. Ivory," "Rico Seville," and "Aundrez Malik Carothers" driver licenses clearly reveals that the photographs are all of the same individual, that being Demetrius Edward Flenory, DOB 6/21/68, POB Detroit, MI. That is also the subject commonly known as "Meechie."
23. On March 11, 1999, DEA Atlanta conducted an interview of a Cooperating Individual, CI #3, regarding Demetrius Flenory and various associates. At the outset of the interview, CI #3 correctly identified Flenory from a photographic array. In response to questioning, CI #3 went on to state that Flenory was seen on several occasions with large amounts of cash despite having no legitimate income or

employment; that Flenory has been seen more than once in the possession of a handgun; that Flenory has some association with Thelmon Stuckey (a Detroit subject, identified by CI #3 by photograph, who is currently awaiting trial in Detroit for the murder of a federal witness); that Flenory often used fictitious names and would probably never acquire a driver's license in his true name; and that Flenory was aware that he was the subject of a DEA investigation and was "concerned" about that fact.

24. In January of 2002, another Cooperating Individual, CI #4, was interviewed in regard to Demetrius Flenory and others. CI #4 told agents of DEA Detroit that Flenory is a "killer" and extremely vengeful; that Flenory has been seen on numerous occasions in possession of various weapons described as Glock and Smith & Wesson 9-millimeter, .40 cal. and .45 cal. semi-auto pistols; that Flenory employs various methods of avoiding the \$10,000.00 threshold for reporting cash transactions to the government, particularly in his purchase of automobiles and jewelry; and that Flenory has been heard on more than one occasion to state that anyone who cooperates with law enforcement is going to be "whacked" by Flenory.
25. On May 6, 2003, CI #1 contacted DEA Atlanta and advised that Demetrius Flenory was back in the Atlanta area. CI #1 reported that Flenory was known to be frequenting Magic City on Monday nights, allegedly spending large sums of cash. According to CI #1, Flenory was part of a large group of black males from Detroit who would appear at Magic City in similar dark-colored shirts, all prominently displaying the letters "BMF." CI #1 claimed that the letters stand for "Black Mafia Family," and that Flenory is the leader, or one of the leaders, of this group. It should be noted that CI #1 has previously provided DEA with information and cooperation that has resulted in the arrest and conviction of a total of five defendants, all of whom entered guilty pleas to either drug or assault charges, two in federal court and three in state court. CI #1 has provided law enforcement with information that has proven to be truthful and reliable.
26. On or about May 20, 2003, a Cooperating Individual, CI #5, reported to officers assigned to the Metro Fugitive Squad in Atlanta that Flenory (identified by photograph by CI #5) has recently been calling himself "Reggie," and that Flenory is associated in some way with a luxury automobile dealership named 404 Motor Sports, located on Cheshire Bridge Road in northeast Atlanta. According to CI #5, Flenory frequents Atlanta-area strip clubs but is currently "banned" from the 24-K Club, which is located at 2284 Cheshire Bridge Road, due to a recent altercation Flenory reportedly had with one of that club's female striptease dancers.
27. On June 20, 2003, another Cooperating Individual, CI #6, reported to DEA S/A Julio Alba that a black male, name unknown to CI #6, was associated with 404 Motor Sports and was residing at 6086 Belair Lake Road in Lithonia. CI #6 further reported that the owner of the house at 6086 Belair Lake Road would be throwing a big party on Sunday, 6/22/03.

28. On Monday, June 23, 2003, at approximately 1:30 AM, DEA S/A Jack Harvey conducted a drive-by surveillance at 6086 Belair Lake Road. At that time, S/A Harvey observed that the interior and exterior of the house were entirely illuminated, that cars were arriving at and departing from the house, that several vehicles occupied the driveway and the street in front of the house, and that approximately 20 additional parked vehicles lined both sides of Evans Mill Road, on each side of its intersection with Belair Lake Road. S/A Harvey further observed small groups of partiers standing outside the house or walking away from the house. It was further noted that the wrought-iron gate that prohibits vehicular access to Belair Lake Road, a gate that was not operational during the 2001 drive-by surveillances, was closed and locked, allowing only pedestrian access to the homes on Belair Lake Road, including the residence at 6086.
29. Later on June 23, 2002, a Cooperating Individual, CI #7, met personally with Atlanta DEA agents and reported that he/she, CI #7, had attended the party at 6086 Belair Lake Road the previous evening. CI #7 advised that the host of the party, and self-described owner of the house, was an individual known to CI #7 as "Meechie." After receiving that information, S/A Alba displayed an 8-man photographic lineup to CI #7. Upon viewing the lineup, CI #7 immediately and correctly identified a photograph of Demetrius E. Flenory, photo #4, as "Meechie."
30. CI #7 further reported that "Meechie" was observed to be in possession of a thick marijuana cigarette, commonly known as a "blunt," during the party inside the house. CI #7 also advised that most of the party guests parked along Evans Mill Road while the garage and driveway at 6086 Belair Lake Road were filled with a total of at least six late-model luxury vehicles; that one handgun, possibly a .45 cal. pistol, was observed lying unattended in one of the bedrooms of the house; that "Meechie" wore his hair in braids and also wore a thick platinum necklace, two diamond earrings, and a large gold pinky ring; that "Meechie" also wore a knee-length white t-shirt with dark lettering reading "BMF"; that approximately 20 others in attendance at the party were similarly attired; and that "Meechie" also had a tattoo on his left bicep that consists of the letters "BMF."
31. On June 24, 2003, DEA received the following updated information on the property at 6086 Belair Lake Road, as a result of research conducted by Dep. Bill Manning of the DeKalb County Sheriff's Department: Since September of 2002, the property has been titled in the name of one Tonesa I. Welch of Sherman Oaks, CA; since at least November of 2002, the DeKalb County water bill has been paid in the name of one Melanie E. Dodson, DOB 4/26/76. DEA has not received any CI information indicating that either Welch or Dodson actually resides, or ever has resided, at 6086 Belair Lake Road, Lithonia, GA.
32. On June 25, 2002, DEA Task Force Agent and DeKalb County Sheriff's Deputy Ronald Adams applied for a warrant to search 6086 Belair Lake Road, based on the aforesaid information, particularly the alleged CI observation of the gun and marijuana cigarette at the house on 6-22-03. A DeKalb County Magistrate Judge

declined to issue a search warrant at that time. On the same date, TFA Adams learned that the felony forgery warrant for Demetrius Flenory in DeKalb County was no longer valid, as Flenory had not been indicted when charged in 1999 with the 1996 violation, allowing the Statute of Limitations to continue to run until expiration.

33. Since June of 2003, DEA has continued to gather intelligence information regarding individuals associated with the house located at 6086 Belair Lake Road. Agents have continued to conduct drive-by surveillances at that location, and further investigation has been conducted regarding Tonesa I. Welch and Melanie E. Dodson.
34. DEA Detroit has advised that Tonesa Welch is the common-law wife and longtime girlfriend of Terrence Flenory, DOB 1-1-70, the younger brother of Demetrius Flenory. Terrence "Terry" Flenory, aka "Big T" and "Southwest T," has been documented in DEA records since 1990 as a suspected multi-kilogram cocaine trafficker with known criminal connections in Atlanta, Detroit, Saint Louis, and Los Angeles, as reported in 22 separate DEA case files. Welch is known to have at least one child fathered by Terry Flenory. Welch remains the titleholder to the property at 6086 Belair Lake Road, although her ownership of that home appears to be strictly "nominal." This investigation has ascertained that Welch was born and raised in Michigan and may currently reside in California. Welch does not reside at 6086 Belair Lake Road in Lithonia, GA.
35. Melanie Dodson is a second female who has apparently been used by Demetrius Flenory as a "nominal" occupant of 6086 Belair Lake Road. Dodson has a Georgia Driver's License and is believed to be from the metropolitan Atlanta area. Dodson was convicted of marijuana possession in Clayton County, GA in 1998 and Dodson was identified in telephone records in a 2002 DEA Detroit investigation, the primary targets of which were Demetrius Flenory and Terry Flenory. It is known that Comcast, Snapping Shoals Electric, Georgia Natural Gas, and the DeKalb County Treasury all currently list Melanie Dodson as a service recipient at 6086 Belair Lake Road. This investigation has uncovered no evidence that Dodson has ever actually resided at 6086 Belair Lake Road.
36. During May-November of 2003, agents have observed numerous vehicles parked in the driveway and on the street in front of 6086 Belair Lake Road, while additional vehicles are apparently concealed behind garage doors that are almost always kept closed. The vehicles observed at 6086 Belair Lake Road include late-model SUV's, pickup trucks, and sports cars, some of which have displayed license plates from Michigan, Missouri, California, Texas, and New York, as well as Georgia.
37. On November 14-16, 2003, the following information was reported to DEA by Atlanta Police Homicide Investigator John Brown and APD Det. Marvin Oglesby, who is also a DEA Task Force Agent: Demetrius E. Flenory was arrested in Atlanta on November 11, 2003. Flenory was charged with the murder of Anthony "Wolf"

Jones, DOB 2-20-65, and Lamont Girdy, DOB 9-18-65, both of whom were shot to death during the early morning hours of 11-11-03 in an altercation that occurred outside Club Chaos, located at the intersection of East Paces Ferry Road and Bolling Way, in the Buckhead section of Atlanta. Although eyewitnesses at the scene of the shooting identified Flenory as the person who shot Jones and Girdy, Flenory was not arrested at the scene. When Flenory was arrested, several hours later on 11-11-03, he was not in possession of any firearm, and he denied having any involvement in any shooting incident. Investigators are searching for a 9-millimeter semi-automatic pistol, as 15 expended 9-mm rounds were recovered at the scene of the shooting but no 9-mm pistol was recovered at the scene. During post-arrest questioning, Flenory claimed to have no fixed Atlanta-area address. Flenory advised that he lives "all over," with various girlfriends, and Flenory made no mention of his residence at 6086 Belair Lake Road in Lithonia, GA. Further investigation of this shooting incident is being conducted by APD, assisted by DeKalb County Police and DEA.

38. Based upon the above-stated information, your affiant respectfully requests that this court issue a warrant authorizing a search of the property at 6086 Belair Lake Road, Lithonia, GA, for the missing 9-millimeter handgun, as described in paragraph #37 of this affidavit, and for such evidence as described on the attached schedule.

SCHEDULE "A"

One single-family residence, off-white in color, one-story in height, located at the southeast corner of the intersection of Evans Mill Road and Belair Lake Road in Lithonia, DeKalb County, Georgia. This is a corner house that faces Belair Lake Road and is also visible from Evans Mill Road. A driveway from Belair Lake Road leads to an attached three-car garage on the south side of the residence. The house was built in 1997 and consists of 4,697 square feet.

The address of this residence is 6086 Belair Lake Road, Lithonia, GA 30038-3480.

Also to be searched are all vehicles parked within the cartilage at 6086 Belair Lake Road, Lithonia, DeKalb County, GA.

CRW

SCHEDULE "B"

1. Books, records, receipts, notes, ledgers, and other papers relating to the transportation, ordering, purchase, and distribution of controlled substances, particularly cocaine and marijuana;
2. Papers, tickets, notes, receipts, and other items relating to domestic and international travel;
3. Books, records, invoices, receipts, records of real estate transactions, bank statements and related records, passbooks, money drafts, letters of credit, money orders, bank drafts, and cashier's checks, bank checks, safe deposit box keys, money wrappers, and other items evidencing the obtaining, secreting, transfer, laundering and/or concealment of assets and the obtaining, secreting, transfer, concealment, laundering and/or expenditure of money;
4. Electronic equipment, such as cellular phone, pagers, computers, telex machines, facsimile machines, currency counting machines, telephone answering machines, and related manuals used to generate, transfer, count, record and/or store the information described in items 1, 2, 3 and 5 of this exhibit. Additionally, computer software, tapes and discs, audio tapes, and the contents therein, containing the information generated by the aforementioned electronic equipment;
5. United States currency, precious metals, jewelry, and financial instruments, including stocks and bonds;
6. Photographs, including still photos, negatives, video tapes, films, undeveloped film and the contents therein, slides, in particular photographs of co-conspirators, of assets and/or controlled dangerous substances;
7. Address and/or telephone books, Rolodex indices and any papers reflecting names, addresses, telephone numbers, pager numbers, fax numbers and/or telex numbers of co-conspirators, sources of supply, customers, financial institutions, and other individuals or businesses with whom a financial relationship exists;
8. Indicia of occupancy, residency, rental and/or ownership of the premises described herein, including, but not limited to, utility and telephone bills, canceled envelopes, rental, purchase or lease agreements, and keys; and
9. Firearms and ammunition, including but not limited to handguns, pistols, revolvers, rifles, shotguns, machine-guns and other weapons, and any records or receipts pertaining to firearms and ammunition.

CSW

IN THE MAGISTRATE COURT OF DEKALB COUNTY, GEORGIA

Search Warrant Number #:03W05357

Docket Number #: e000207

RETURN OF SEARCH WARRANT & INVENTORY

(Include the entire search warrant & affidavit to insure proper & accurate docketing.)

I, the undersigned officer, received the search warrant on the date and time set forth upon the search warrant and have executed it as follows:

☐ I did not execute the search warrant and I am returning it to this court.

☒ I did execute the search warrant and I am filing the return and inventory as follows:

On the 17 Day of November 2003, I searched the premises particularly described in this search warrant for the specifically listed person(s), property, items, articles and instruments.

I left a copy of the warrant, together with the receipt of the seized person(s), property, items, articles, instruments,

☐ with the following person,

☒ left in a conspicuous place on the premises particularly described in the Search Warrant.

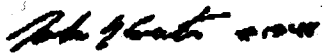
KITCHEN COUNTER

The following is an inventory of the property person(s), property, items, articles and instruments seized pursuant to execution of this search warrant:


☒ See the attached list, consisting of 5 pages, labeled 1 THROUGH 5.

This inventory was made in the presence of S/A SHONTAL LINDER (DEA)

I swear that that is a true and detailed account of the listed person(s), property, items, articles and instruments seized by me at the execution of this search warrant.

| | |
|---|-----------------------|
| Signature :  | Agency: DeKalb Police |
| Name (Print legibly): John W. Koerts | Badge No: 1348 |

Sworn to and subscribed before me, This 18 day of November, 2003

| | |
|--|-------------------------|
| Signature:  | DEKALB MAGISTRATE Court |
| MAGISTRATE (Print legibly): M Whiteman | State of Georgia |

NO-KNOCK PROVISION
(NOT VALID UNLESS SIGNED)

IT APPEARING FROM THE AFOREMENTIONED AFFIDAVIT THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE GIVING OF VERBAL NOTICE WOULD GREATLY INCREASE THE OFFICER'S PERIL AND (OR) LEAD TO THE IMMEDIATE DESTRUCTION OF THE INSTRUMENTS, ARTICLES OR THINGS ORDERED TO BE SEIZED.

IT IS THEREFORE, ORDERED THAT ENTRY BE MADE WITHOUT KNOCKING AND THE GIVING OF VERBAL NOTICE OF THE OFFICER'S AUTHORITY AND PURPOSE.

SO ORDERED THIS 17 DAY OF Nov 2003
TIME: 1:00 (A.M.) (P.M.)

JUDGE OF THE MAGISTRATE COURT

RETURN OF SERVICE

☐ THIS SEARCH WARRANT WAS NOT EXECUTED AND IS RETURNED TO THE JUDICIAL OFFICER WHO ISSUED IT.

☐ I EXECUTED THIS SEARCH WARRANT ON THE _____ DAY OF _____ 2003, AT _____, AND SEARCHED THE PERSON(S), PREMISES OR PROPERTY DESCRIBED IN THE WARRANT. A COPY OF THIS WARRANT:

☐ WAS LEFT WITH _____

☒ WAS LEFT IN THE FOLLOWING CONSPICUOUS PLACE: Kitchen Counter, BECAUSE NO ONE WAS AVAILABLE TO BE GIVEN THE WARRANT:

ATTACHED HERETO IS AN INVENTORY CONSISTING OF 5 PAGE(S), OF THE INSTRUMENTS, ARTICLES OR THINGS WHICH WERE SEIZED PURSUANT TO THIS SEARCH WARRANT. THIS INVENTORY WAS MADE IN THE PRESENCE OF S/A Shantal Linder AND I SWEAR OR AFFIRM THAT THIS INVENTORY IS A TRUE AND DETAILED ACCOUNT OF ALL INSTRUMENTS, ARTICLES, OR THINGS SEIZED PURSUANT TO THIS SEARCH WARRANT.

SWORN AND SUBSCRIBED TO BEFORE
ME THIS 18 DAY OF March 2003
TITLE Assoc. Magistrate Judge

Det. [Signature] #1348
AFFIANT

Mary Walton Whitman

U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION
RECEIPT FOR CASH OR OTHER ITEMS

TO: (Name, Title, Address (including ZIP CODE), if applicable)

Residents / Demetrius Flenory
 186 Belair Lake Road
 Lithonia GA.

FILE NO.

G-DEP IDENTIFIER

FILE TITLE

DATE

11-17-2003

DIVISION/DISTRICT OFFICE

Atlanta F.D. / DEA
 S/A Jack Harvey

I hereby acknowledge receipt of the following described cash or other item(s),
 which was given into my custody by the above named individual.

| AMOUNT or QUANTITY | DESCRIPTION OF ITEM(S) | PURPOSE (If Applicable) |
|--------------------|--|-------------------------|
| | *From Master Bedroom* | |
| 1 | Action Arms .9mm Serial # UP13276 / with magazine | |
| 1 | platinum necklace medallion | |
| 1 | Earrings | |
| 3 | watches | Dresser Drawer |
| 1 | Bracelet | |
| 1 | John Gotti Photo | |
| 3 | Gun Magazines (master closet) | |
| 1 | watch (from nightstand) | |
| 3 | 1/4 oz. Bags of marijuana (inside Nike shoe walk in closet) | |
| 1 | Box misc Papers - (right walk in closet) | |
| 1 | Black Accessory Bag cont. unknown amount CASH and Laptop comp. | |
| 1 | unk. amount CASH in small Box in Jacket inside closet | |
| 1 | Jersey from walk in closet on left | |

RECEIVED BY (Signature)

Left at location

NAME AND TITLE (Print or Type)

ESSED BY (Signature)

NAME AND TITLE (Print or Type)

John Kouts / TFA
 5194

TFA John Kouts / TFA Terry Mullins

